

REMARKS/ARGUMENTS

The Office Action mailed June 29, 2005 has been reviewed and carefully considered. Claims 1-12 are canceled without prejudice. Claims 13-27 are added. Claims 13-27 are pending in this application, with claims 13, 15, 18, 20, 24, 25, 26, and 27 being the only independent claims. Reconsideration of the above-identified application, as herein amended and in view of the following remarks, is respectfully requested.

In the Office Action mailed June 29, 2005, the Examiner suggested using the preferred layout of the specification. Accordingly, the specification has been amended to include appropriate headings.

The Examiner requires under 37 CFR §1.52(b)(4) that an Abstract on a separate sheet should be filed. Applicant's note that the present application is a U.S. National Stage application of International Application No. PCT/FI00/00279, a published pamphlet version of which was included in the filing papers of this national stage application. The abstract appears on the cover sheet of the published pamphlet version of the PCT application. As stated in MPEP §1893.03(e) (emphasis added):

When the international application is published as the pamphlet, the abstract is reproduced on the cover page of the publication, even though it appears on a separate sheet of the international application in accordance with PCT Rule 11.4(a). Thus the requirement of 37 C.F.R. §1.72(b) that the abstract "commence on a separate sheet" does not apply to a copy of the application (pamphlet) communicated to the designated Offices by the International Bureau under PCT Article 20. Accordingly, it is improper for the examiner of the U.S. national stage application to require the applicant to provide an abstract commencing on a separate sheet if the abstract does not appear on a separate sheet in the pamphlet. Unless the abstract is properly amended under the U.S. rules during national stage processing, the abstract that appears on the cover page of the pamphlet will be the abstract published by the

USPTO under 35 U.S.C. §122(b) and in any U.S. patent issuing from the application.

Therefore, in the present national stage application, the filing of the original Abstract on a separate sheet is not necessary. Withdrawal of the objection is respectfully requested.

Claims 1, 3, 6, and 8 were objected to and claims 1-12 were rejected under 35 U.S.C. §112, second paragraph. The original claims 1-12 are now canceled and new claims 13-27 are presented. Accordingly, the objections and rejections under 35 U.S.C. §112, should be withdrawn.

Claims 1, 2, 3, 5, 6, 7, and 8 stand rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 5,528,198 (Baba).

Claim 2 stands rejected under 35 U.S.C. §103 as unpatentable over Baba in view of U.S. Patent No. 6,711,227 (Kaylani).

Claims 4 and 9-12 were found to contain allowable subject matter and would be allowable if rewritten in independent form. While the finding of allowable subject matter is greatly appreciated, new claims are now presented.

New claims 13-24 correspond to original claims 1-11 and are rewritten in accordance with U.S. practice. New independent claims 25-27 are drawn to a changeover device, a clock multiplexer, and associated application specific integrated circuits.

The present invention relates to digital data transmission in which propagation assurance is realized by using parallel paths. A transmission of data is transmitted along each of the parallel paths. Accordingly, if a problem occurs on one of the paths, the transmission can be received via one of the other paths. Each of the new claims recites that parallel clock signals are received and that one of the parallel clock signals is determined to be the selected signal which is output by the receiving device. Ideally, the selected signal is the most error-free signal. Errors in

the selected signal which require a change are determined by monitoring the reliability of the clock signal of the transmission using a phase lock loop. If the phase lock loop determines that the selected signal is unreliably locked (i.e., if the operational reliability of the phase locked loop is not sufficient), then a change of the selected clock signal to another one of the parallel clock signals is initiated (see page 4, lines 21-30 and page 5, lines 1-2 of the specification).

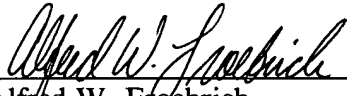
The combined teachings of Baba and Kaylani fail to determine the reliability of a clock signal that is transmitted over a transmission path. Baba relates to a clock signal extraction apparatus having a plurality of selectable phase shifted outputs. The clock signal with a phase that is closest to the phase of an incoming data signal is selected (see col. 2, lines 41-56). Accordingly, Baba discloses that a clock is generated at the location that the data signal is received. Baba fails to disclose, teach or suggest that the clock signal is received from the transmission path or that the reliability of the phase lock of the clock signal is determined. Accordingly, the independent claims are each allowable over Baba.

Kaylani fails to teach or suggest what Baba lacks. Kaylani also discloses an oscillator that generates a plurality of different phase shifted signals at a given frequency. The various shifted signals are compared to a bunched pulse train and a closes one of the phase shifted signals is selected. Since the phase shifted signals are generated by an oscillator, Kaylani also dfails to disclose, teach or suggest that the clock signal is received from the transmission path or that the reliability of the phase lock of the clock signal is determined. Accordingly, the claims of the present application are allowable over Baba in view of Laylani.

The application is deemed to be in condition for allowance and notice to that effect is solicited.

Respectfully submitted,

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